

**MINUTES OF THE MEETING
OF THE
BOARD OF LAND AND NATURAL RESOURCES**

DATE: May 23, 1997
TIME: 9:00 a.m.
PLACE: Board Room
Kalanimoku Building, Room 132
1151 Punchbowl Street
Honolulu, Hawaii 96813

Chairperson Michael D. Wilson called the meeting of the Board of Land and Natural Resources to order at 9:12 a.m. The following were in attendance:

MEMBERS:

Mr. William Kennison	Mr. Colbert Matsumoto
Ms. Lynn McCrory	Mr. Michael Nekoba
Mr. Christopher Yuen	Mr. Michael D. Wilson

STAFF:

Ms. Betsy Gagne, DOFAW/NARS	Mr. William Devick, Aquatic
Mr. Dean Uchida, Land	Mr. Sam Lemmo, Land
Mr. Richard Fassler, ADP	Mr. Alvin Tamashiro, Fiscal
Mr. David Parsons, DOBOR	

OTHERS:

Mr. Randy Young, Esq. Deputy Attorney General	Mr. Peter Garcia, State Department of Transportation
Mr. David Frankel, Sierra Club, C-1, D-3	Mr. Thomas Fujikawa, State Department of Transportation
Mr. Mel Hoomanawanui, President, Hawaii Motorsports Assn.	Dr. Gordon Grau, University of Hawaii, HIMB
Mr. Richard Yamasaki, Property Manager, Makaha Surfside, D-3	Mr. Robert Benson, D-3 Mr. John Sabas, Office of Community Services

Business:

Motion was made to add Item B-2 to the agenda; the motion was unanimously approved (Yuen/Kennison).

ITEM C-1 APPROVAL OF THE MANAGEMENT POLICIES OF THE NATURAL AREA RESERVES SYSTEM

Ms. Gagne presented members with the history of the Natural Area Reserves System (NARS) Commission and the background leading to the formation of the subject management policies. She testified that the subject policies would be used in the future to guide the NARS Commission in the formulation and amendment of its rules.

Member Yuen inquired about the policy regarding commercial activities. He noted that the policies seemed to require a special use permit (for commercial activities) which is not currently available. Ms. Gagne responded that the policy sets out a criteria that will be followed, however, the actual permitting was awaiting a department-wide commercial use policy. She testified to the necessity of balancing protection with allowing the public to see and learn about the ecosystem.

Ms. Gagne observed that detailed management strategies would differ with each reserve and would be handled through the individual reserve rules; the policies would serve only as an "umbrella."

Member Yuen suggested that the commission examine designating certain areas which could be open to commercial activities and then allowing staff to issue permits; Ms. Gagne stated that routine permits are currently processed by staff.

Chairperson Wilson requested that the Board be given a synopsis of the individual management plans to review by the end of the year.

Mr. David Frankel, Sierra Club of Hawaii, testified in support of the policies. He noted, however, that the club had mild concerns about the definition of commercial use. He noted that not all money exchanges indicate commercial use; he stated that the definition of commercial use is appropriate in context of the NARS rules but may not be appropriate in another context.

By a unanimous vote of the six members present, Item C-1 was approved as submitted (Yuen/Matsumoto).

ITEM K-1 AUTHORIZATION TO NEGOTIATE FOR ACQUISITION OF PRIVATELY-OWNED LANDS FOR EXPANSION OF HONOLULU HARBOR, AND SUBSEQUENT SET ASIDE TO THE DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION BY GOVERNOR'S EXECUTIVE ORDER, SITUATE AT IWILEI, HONOLULU, ISLAND OF OAHU

Mr. Peter Garcia provided board members with background on the subject submittal requesting authorization to acquire waterfront lands & structures from Aala Produce for future harbor expansion purposes.

In response to member Nekoba's question as to why the State did not negotiate to purchase directly with First Hawaiian Bank (the current landowners), Mr. Garcia replied that the State had not known that the property was up for sale until after Aala Produce's offer to purchase had been accepted by First Hawaiian. Mr. Tom Fujikawa also stated that First Hawaiian was required to close the sale by May 30, 1997 and State funds would not be available until July 1, 1997. Mr. Fujikawa further stated that Aala Produce had agreed to "hold" the cost to the State at its (Aala's) purchase price.

In response to member Matsumoto's questions, Mr. Garcia stated that Aala Produce would be moving into space within the property and that all current tenants of the property were -- and would continue to be -- on month-to-month rental agreements.

Messrs. Garcia and Fujikawa gave board members a brief overview of the future maritime plans for the harbor area.

Member Kennison questioned whether any hazardous waste assessment had been conducted; Messrs. Garcia and Fujikawa stated that they would be working with the Department of Health in assessing the area. No public testimony was presented.

By a unanimous vote of the six members present, Item K-1 was approved as submitted (Nekoba/Matsumoto).

ITEM K-2 ISSUANCE OF REVOCABLE PERMIT, PIER 34, HONOLULU HARBOR, OAHU (CITIZENS UTILITIES CORPORATION)

Mr. Garcia stated that the subject submittal was related to Items K-1 and K-2, approved at the May 9, 1997 board meeting. Mr. Garcia stated that due to the purchase of Gasco by Citizens Utilities, DOT was seeking approval to implement changes to the lease, revocable permits and grants of easements in favor Citizens Utilities.

Mr. Garcia recommended that the submittal be amended to include the condition that the Board's approval was subject to the purchase agreement and consummation of the stock sale.

ITEM K-2 (cont.)

No public testimony was presented.

By a unanimous vote of the six members present, Item K-2 was approved as amended (Nekoba/Matsumoto).

ITEM K-3 ISSUANCE OF REVOCABLE PERMIT, PIER 23, HONOLULU HARBOR, OAHU (EARL SCHEIB OF HAWAII, INC.)

Mr. Garcia explained to the Board that the applicant did not meet the criteria of a maritime operation, however, the nature of the business required close proximity to the harbor. Mr. Garcia informed members that the applicant would be taking over the area "as is" and, at its own cost, be readying the site for business.

In response to Member Matsumoto's question, Mr. Garcia replied that rent would be waived until such time that the site is ready to accommodate business operations (but no longer than one year). At that time, rent will be set at market rates. No public testimony was presented.

By a unanimous vote of the six members present, Item K-3 was approved as submitted (Nekoba/Matsumoto).

ITEM K-4 ISSUANCE OF REVOCABLE PERMIT, WAREHOUSE #8, PIER 19, HONOLULU HARBOR, OAHU (EARL SCHEIB OF HAWAII, INC.)

No public testimony was presented.

By a unanimous vote of the six members present, Item K-4 was approved as submitted (Nekoba/Matsumoto).

ITEM D-12 THE LAW FIRM OF PRICE OKAMOTO HIMENO & LUM, ON BEHALF OF BHP HAWAII, INC., THE PARENT COMPANY OF GASCO, INC., AND GASCO, INC., HAS REQUESTED APPROVAL OF THE TRANSFER OF THE RIGHTS AND OBLIGATIONS UNDER THE FOLLOWING INDENTURES FROM GASCO, INC. TO CITIZENS UTILITIES COMPANY: GENERAL LEASE NOS. S-4250, S-4288, S-4438, S-4517, S-5170, AND S-5469, LAND OFFICE DEED NOS. S-17410 AND S-24327, REVOCABLE PERMIT NO. S-6506, AND AMEND PRIOR BOARD ACTION OF JANUARY 24, 1997 (AGENDA ITEM D-19) AND MARCH 14, 1997 (AGENDA ITEM D-12)

Mr. Uchida stated that the subject submittal requested the board's approval in reassigning the listed leases and deeds from Gasco to Citizens Utilities. Like Item K-2, the issue was being brought before the board because of the sale of Gasco to Citizens.

ITEM D-12 (cont.)

Mr. Uchida further requested that the submittal be amended to delete reference to revocable permit No. S-6506. He stated that the permit had previously been terminated and, thus, there was no need to reassign.

Member Nekoba questioned whether any of the leases had been "updated" to include language and/or conditions that are currently standard. Mr. Uchida replied that although staff routinely updates leases when extensions or other approvals which entail "changing the contract" are granted, he was unsure whether this could be done with assignments. Mr. Randall Young, Deputy Attorney General stated that the Attorney General's Office would have to research whether such changes could be required with assignments.

Member Nekoba recommended that the submittal be further amended to include the condition that the staff work with the Attorney General's Office to look into the possibility of updating the lease conditions.
No public testimony was presented.

By a unanimous vote of the six members present, Item D-12 was approved as amended (Nekoba/Matsumoto).

ITEM D-2 HAWAII MOTORSPORTS ASSOCIATION REQUEST FOR A RIGHT OF ENTRY TO CONDUCT A MOTOCROSS EVENT ON STATE LAND, IDENTIFIED BY TMK: 3-8-08: PORTION 01, PORTION OF PULEHUNUI AND WAIKAPU, WAILUKU, MAUI

Mr. Uchida informed board members that the subject request was identical to one approved by the board in 1996. He stated that the board's approval then was subject to A & B's (the Lessee) permission. Mr. Uchida also informed the Board that the applicant has requested a date change from July 20, 1997 to August 3, 1997.

In response to Member Matsumoto's question regarding hardening of the track, Mr. Mel Hoomanawanui, President of the Hawaii Motorsports Association, stated that, although some additional soil may be brought in, only water is used to wet down the track.

Member Kennison questioned whether the subject area is part of an area which, under a proposed master plan, would be a permanent motocross track. Mr. Uchida answered in the affirmative.

By a unanimous vote of the six members present, Item D-2 was approved as amended (Kennison/Matsumoto).

ITEM D-7 REQUEST BY THE MAUI DEPARTMENT OF WATER SUPPLY TO UPGRADE THE OLINDA WATER TREATMENT FACILITY LOCATED ON STATE LANDS UNDER GENERAL LEASE NO. S-4540, TMK: 2-3-06: 06, PORTION H.R. CO., KULA, MAKAWAO, MAUI

No public testimony was presented.

By a unanimous vote of the six members present, Item D-7 was approved as submitted (Kennison/Nekoba).

ITEM B-1 REQUEST FOR APPROVAL TO AMEND/EXTEND TWO (2) AGREEMENTS WITH THE UNIVERSITY OF HAWAII, HAWAII INSTITUTE OF MARINE BIOLOGY

Dr. Gordon Grau, Interim Director of the Hawaii Institute of Marine Biology (HIMB), provided members with a description of the education program (written testimony provided).

In response to Chair Wilson's question, Dr. Grau informed the Board that the program was aimed primarily at primary and secondary school children.

Chair Wilson noted his concern that many in the community were unaware of DLNR's involvement in research and education programs.

In response to Member Matsumoto's question regarding the allocation of the \$400,000 (amount to maintenance vs. amount to study), Mr. Devick stated that approximately 1/3 of the amount was allocated for the assessment. He further stated that the assessment study was initiated last year and reports were expected annually.

Member Matsumoto noted his concern regarding the open-ended timeline for the study. He related his concern regarding this study to his concern regarding the research being conducted in Nuuanu Reservoir.

Discussion then moved to Item B-2.

Member Matsumoto noted his concern about the amount of money being spent on the Nuuanu catfish program. Dr. Grau responded that what is learned through the program will eventually be used with other bottomfish and thus, the program's impact goes far beyond the Nuuanu Reservoir. He further stated that the project would conclude with the current funding cycle.

Dr. Grau provided members with a background of the program (written testimony provided).

ITEMS B-1/B-2 (cont.)

Member Yuen questioned funding priorities in the face of more critical environmental needs. Mr. Devick responded that 1) what is learned through the program will eventually help address the more critical needs, and 2) there are restrictions in the ways that much of the funding can be used.

In response to Chairperson Wilson's questions, Mr. Devick stated that the catfish program has been going on since the late 1960's and currently involve approximately 3,000 fishermen. He also testified that without the program the reservoir could not survive as a viable public fishery.

Dr. Grau further testified that the reservoir provides a defined aquatic environment with a standing crop of fish that can be used to educate the public about the balance needed to prevent harm to the aquatic life.

In response to Member Nekoba's concern regarding the possible drainage of the reservoir, Mr. Devick stated that talks between the division and the Board of Water Supply have indicated that drainage was not imminent.

Chairperson Wilson suggested the placement of various signage/educational displays to explain the program.

Member McCrory suggested that the division investigate the possibility of private entities or non-profit associations assuming responsibility for managing the area.

By a unanimous vote of the six members present, Items B-1 and B-2 were approved as submitted (Matsumoto/Nekoba).

ITEM B-2 REQUEST FOR APPROVAL TO AMEND/EXTEND AN AGREEMENT WITH THE UNIVERSITY OF HAWAII, HAWAII INSTITUTE OF MARINE BIOLOGY

See Item B-1.

**ITEM D-3 CDUA (OA-2850) FOR BEACH NOURISHMENT AT WAIANAE, OAHU,
(IN SHOREFRONT AREA OF MAKAHA SURFSIDE APARTMENTS,
ADJACENT TO TMK: 8-05-17: 5)**

Mr. Uchida provided members with the history of the area. He stated that although no negative comments from other state and county agencies regarding the proposed nourishment project had been received, there were some concerns regarding the source of sand that would be used. At present, there was no identified source for the sand. Mr. Uchida further cautioned members that beach nourishment would probably not be a long term solution and that staff would be working with the applicant and other agencies to try and develop a permanent solution to the problem.

In response to Member Matsumoto's question, Mr. Uchida stated that the seabags would be used to prevent further erosion only during the time prior to the nourishment.

Chairperson Wilson followed up by requesting that condition #6 be amended to clarify that the seabags shall be temporary.

Member Matsumoto noted that condition #5 should also be amended to clarify that the sand used in the nourishment project be subject to the Department's approval.

In response to Chairperson Wilson's question as to whether staff had discussed the conditions with Dr. Chip Fletcher, Mr. Sam Lemmo stated that staff had consulted with Dr. Fletcher about the nourishment project but not about specific conditions.

In response to Member Nekoba's question regarding the criteria used to approve the sand, Mr. Uchida stated that the Department would be consulting with other agencies, including the Corps of Engineers and Dr. Fletcher before approving the sand.

Member McCrory noted that, although staff thought photographic monitoring of the beach profile would be beneficial, no condition had been placed to require such monitoring. Member McCrory questioned who would be doing the monitoring -- the Department? The condominium owners? Dr. Fletcher? Mr. Uchida stated that a condition for photographic monitoring could be included as a part of Condition #9.

In response to Member Matsumoto's question, Mr. Sam Lemmo stated that the CDUA allowed the applicant to re-nourish as long as the Department is notified. Member Matsumoto, recognizing the concerns of the city, noted the need for a mechanism to stop re-nourishment if it was deemed that the nourishment project was adversely affecting the nearshore environment.

ITEM D-3 (cont.)

Mr. Richard Yamasaki, Property Manager, Makaha Surfside testified that the association would be willing to conduct the photographic monitoring of the beach profile. Mr. Yamasaki stated that the association was currently doing such photographing to monitor the current situation. Member McCrory requested that staff assist the association in developing a monitoring system that would maintain a consistent history.

Mr. Robert Benson, owner-occupant of Makaha Surfside, expressed his concern about the present situation and testified that an artificial breakwater will probably be needed in the future.

Mr. David Frankel, Sierra Club, noted that, although the project seemed to be a good short-term solution, the Club could not endorse such nourishment programs without knowing the source of the sand. Mr. Frankel also stated his concern about the fact that, currently, the CDUA process does not always work "hand-in-hand" with Chapter 343, HRS process.

Member Nekoba motioned for approval with the following amendments:

Condition #5 was amended to require that the sand used for replenishment be approved by the Department prior to placement;

Condition #6 was amended to clarify that the use of seabags be temporary;

Condition #9 was amended to require that the applicant work with the Department to develop a photographic monitoring program; and

A condition was added to allow the Department to discontinue the replenishment project if the project was deemed to have an adverse impact on the nearshore environment.

By a unanimous vote of the five members present, Item D-3 was approved as amended (Nekoba/Matsumoto). Chairperson Wilson had exited the meeting during discussion on Item D-3.

ITEM D-1 SALE OF LEASE AT PUBLIC AUCTION AND ISSUANCE OF AN INTERIM REVOCABLE PERMIT FOR PASTURE PURPOSES TO GEORGE RAPOZA, JUNE C. RAPOZA, WESLEY RAPOZA AND DESIREE RAPOZA ON GOVERNMENT LAND SITUATE AT MOKULEIA, WAIALUA, OAHU, TMK: 1ST/6-8-02: 17

No public testimony was presented.

By a unanimous vote of the five members present, Item D-1 was approved as submitted (Nekoba/McCrory).

ITEM D-4 REQUEST TO AMEND PRIOR BOARD ACTION OF JANUARY 24, 1997 (AGENDA ITEM D-5) RELATIVE TO GRANT OF PERPETUAL NON-EXCLUSIVE ACCESS AND UTILITY EASEMENT AFFECTING A PORTION OF STATE OWNED DITCH, PORTION OF KAPAA HOMESTEADS, 1ST SERIES, KAWAIHAU, KAUAI, TMK: 4-6-7: POR 12

No public testimony was presented.

By a unanimous vote of the five members present, Item D-4 was approved as submitted (McCrory/Nekoba).

ITEM D-5 SET ASIDE TO THE DEPARTMENT OF TRANSPORTATION, STATE OF HAWAII, FOR ROAD WIDENING PURPOSES AT THE INTERSECTION AT SALT LAKE BOULEVARD AND KAMEHAMEHA HIGHWAY AT HALAWA, EWA, OAHU, TMK: 1ST/9-9-03: 71 (PORTION)

No public testimony was presented.

By a unanimous vote of the five members present, Item D-5 was approved as submitted (Nekoba/Matsumoto).

ITEM D-6 AUTHORIZATION TO AMEND REVOCABLE PERMIT NO. S-4280 TO WORLDWIDE MOVING AND STORAGE, INC., FOR USE OF STATE LAND LOCATED AT SHAFTER FLATS, MOANALUA, HONOLULU, OAHU, TMK: 1-1-064: 7

No public testimony was presented.

By a unanimous vote of the five members present, Item D-6 was approved as submitted (Nekoba/Kennison).

ITEM D-8 ASSIGNMENT OF GENERAL LEASE NO. S-4990, LOT 34, KOKEE CAMP SITE LOTS, WAIMEA (KONA), KAUAI, TMK: 1-4-4: 17

No public testimony was presented.

By a unanimous vote of the five members present, Item D-8 was approved as submitted (McCrory/Nekoba).

ITEM D-9 AMEND PRIOR BOARD ACTION FOR SALE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT, KALOPA, HAMAKUA, HAWAII

No public testimony was presented.

By a unanimous vote of the five members present, Item D-9 was approved as submitted (Kennison/Nekoba).

ITEM D-10 RECONSIDERATION OF PRIOR BOARD ACTION FOR CANCELLATION OF GENERAL LEASE #S-4639 AND MODIFICATION OF THE PERFORMANCE BOND

Member McCrory noted that a similar question regarding the board's authority to rescind and reconsider a prior board action was referred to the Attorney General's Office; she questioned whether an answer had been received. Mr. Uchida stated that an answer from the Attorney General's Office had not yet been received.

Member McCrory also requested that it be required that administrative costs be reimbursed to the Department.

In response to Member Matsumoto's question regarding the time required for staff to issued a cancellation, Mr. Uchida stated that current procedure requires that the document be prepared by the Attorney General's Office.

By a unanimous vote of the six members present, Item D-10 was approved as amended (Yuen/Kennison). Chairperson Wilson re-joined the meeting during discussion on Item D-10.

ITEM D-11 DIRECT LEASE OF A ELECTRICAL SUBSTATION SITE AND NON-EXCLUSIVE ROAD EASEMENT, KAOHE, HAMAKUA, HAWAII, TMK: (3) 4-4-16-10

No public testimony was presented.

By a unanimous vote of the six members present, Item D-11 was approved as submitted (Yuen/Kennison).

ITEM D-13 REQUEST FOR CONSENT TO DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM REVOCABLE PERMIT NO. 016, PORTION OF THE HAWAII FILM STUDIO SITUATE AT KAPAHULU, WAIKIKI, OAHU, HAWAII, TMK: 1ST/3-1-42: 09 (PORTION)

No public testimony was presented.

By a unanimous vote of the six members present, Item D-13 was approved as submitted (Nekoba/Matsumoto).

**ITEM D-14 SALE OF LEASE AT PUBLIC AUCTION FOR INDUSTRIAL PURPOSES,
SITUATE AT WAIAKEA, SOUTH HILO, HAWAII, TMK: (3) 2-2-58-
17**

No public testimony was presented.

By a unanimous vote of the six members present, Item D-14 was approved as submitted (Yuen/Kennison).

**ITEM D-15 CONSTRUCTION RIGHT-OF-ENTRY AT WAIAKEA, SOUTH HILO,
HAWAII, TMKS: (3) 2-2-3-3, 2-2-4-1, 2-2-12-1 AND 2-2-13-3**

No public testimony was presented.

By a unanimous vote of the six members present, Item D-15 was approved as submitted (Yuen/Kennison).

**ITEM D-16 HAWAII EXPLOSIVES AND PYROTECHNICS, INC. REQUEST FOR
REVOCABLE PERMIT FOR THE PURPOSES OF ESTABLISHING A SAFE
ZONE PERIMETER IN THE STORING OF PYROTECHNICS AT OLAA
RESERVATION LOTS, PUNA, HAWAII, TMK: 1-17-13: 98**

Members Matsumoto and Yuen questioned how the State came into ownership of the subject parcel; Member Yuen suggested staff look into auctioning off the parcel.

No public testimony was presented.

By a unanimous vote of the six members present, Item D-16 was approved as submitted (Yuen/Kennison).

**ITEM H-1 REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH THE
OFFICE OF COMMUNITY SERVICES, DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS, FOR FISHPOND RESTORATION**

Mr. Richard Fassler of the Department's Aquaculture Development Program presented the submittal and photographs of the two subject fishponds.

In response to Member McCrory's question regarding the involvement of private entities in the project, Mr. Fassler stated that two "ohana" groups have, in fact, come forward to help restore the ponds. He stated that the Aquaculture Office will be the official lessee and that it, in turn, would sublease to a non-profit agency that would go out to the community to conduct the actual work on the ponds.

Mr. John Sabas, Office of Youth Services (OYS), testified to his office's strong support for the project. He stated that OYS currently had various "pockets" of funding available for the project.

ITEM H-1 (cont.)

In response to a question by Member Nekoba, Mr. Fassler stated that the project required five or six major permits and several agency approvals.

Mr. Randy Young, Deputy Attorney General, questioned whether executive or legislative approval was required before issuing a lease. He requested that the Aquaculture Office consult with the Attorney General's Office.

By a unanimous vote of the six members present, Item H-1 was approved as submitted (Kennison/Yuen).

ITEM H-2 APPROVAL TO PROCEED WITH THE SINGLE AUDIT OF THE DEPARTMENT'S FEDERAL AID PROGRAMS

Alvin Tamashiro of the Department's Administrative Services Office presented the submittal.

No public testimony was presented.

By a unanimous vote of the six members present, Item H-2 was approved as submitted (Matsumoto/Nekoba).

ITEM J-1 ISSUANCE OF GRANT OF EASEMENT, MANELE BAY BOAT HARBOR, ISLAND OF LANAI

Member Matsumoto questioned why the Boating Division was not charging rent for the easement; Mr. Parsons responded that the Division would be willing to look into the possibility of charging rent. Member Matsumoto suggested that the staff appraiser set a fee for the easement.

Member Kennison motioned for approval with the amendment that the staff appraiser look into setting a possible charge for rent.

By a unanimous vote of the six members present, Item J-1 was approved as amended (Kennison/Yuen).

ITEM J-2 CONTINUANCE OF REVOCABLE PERMITS, DIVISION OF BOATING AND OCEAN RECREATION

- ROYAL HAWAIIAN OCEAN RACING CLUB, ALA WAI BOAT HARBOR, ISLAND OF OAHU
- HONOLULU COMMITTEE TRANSPACIFIC YACHT CLUB, ALA WAI BOAT HARBOR, ISLAND OF OAHU
- ISLANDER INDUSTRIES, INC., LAHAINA HARBOR, ISLAND OF MAUI
- GARY SCRITCHFIELD, LAHAINA HARBOR, ISLAND OF MAUI
- DAVID L. WILLIAMS, LAHAINA HARBOR, ISLAND OF MAUI
- NA ALII WATER SKI CLUB, KEEHI SMALL BOAT HARBOR, ISLAND OF OAHU
- ISLAND ADVENTURE, NAWILIWILI SMALL BOAT HARBOR, ISLAND OF KAUAI
- AKANA PETROLEUM, KAILUA-KONA PIER, ISLAND OF HAWAII
- MDR, INC., HONOKOHAU BOAT HARBOR, ISLAND OF HAWAII
- PARDNER, INC., LAHAINA HARBOR, ISLAND OF MAUI
- SILENT LADY CHARTERS, MAALAEA BOAT HARBOR, ISLAND OF MAUI

Mr. Parsons submitted a revised list of permittees which withdrew the division's request for continuance for Islander Industries, Inc., Gary Scritchfield, David L. Williams, MDR, Inc., and Pardner, Inc. For the remaining permittees, Mr. Parsons provided members with a brief description and rents charged.

In response to Member Matsumoto's question as to whether the division had investigated various accusations regarding the commercial nature of the Na Alii Water Ski Club, Mr. Parsons stated that the division had not found anything confirming the charges. Members suggested that the division use more assertive means of investigating possible violations; Mr. Parsons concurred.

In response to members questions, Mr. Parsons stated that the division had determined MDR, Inc. to be an inconsistent use for the harbor area and was not requesting its continuance. No public testimony was presented.

By a unanimous vote of the six members present, Item J-2 was approved as amended (Matsumoto/Kennison).

ITEM J-3 APPROVAL OF ASSIGNMENT OF SUBLEASE, HONOKOHAU BOAT HARBOR, NORTH KONA, ISLAND OF HAWAII

No public testimony was presented.

By a unanimous vote of the six members present, Item J-3 was approved as submitted (Yuen/Kennison).

There being no further business, Chairperson Wilson adjourned the meeting at 12:45 p.m.

Tapes of the meeting and all written testimony submitted at the meeting are filed in the Chairperson's Office and are available for review. Certain items on the agenda were taken out of sequence to accommodate applicants or interested parties present.

Respectfully submitted,


Gail K. Murayama
Secretary

Approved for submittal:


MICHAEL D. WILSON
Chairperson
Board of Land and Natural Resources